

RECEIVED

Hutchison + Mason PLLC

13 DEC 2005

Legal Staff
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P.O. Box 31744
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December 13, 2005

To:	PCT - Office of Legal Administration	From:	Mary B. Grant
Attention:		Fax:	+1.919.829.4332
		Direct Phone:	+1.919.829.4311
Fax:	571.273.0459	Our Ref.:	BASF.10017
Your Ref.:	10/519,823	No. Pages:	12 (incl. this page)

Comments:

I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office facsimile number 571.273.0459 on this the 13th day of December 2005.

Documents enclosed:

Letter Requesting Change in Small Entity Status (in duplicate)	4 pages
Copy of Transmittal Letter submitted 12/30/04	2 pages
Copy of Notice of Acceptance dated 11/18/05	2 pages
Copy of Deposit Account Statement for January 2005	1 pages
Copy of Deposit Account Statement for October 2005	2 pages

Cynthia Wilder
(Typed Name of Person Signing Certificate)
Cynthia Wilder
(Signature of Person Signing Certificate)

Date of Signing: December 13, 2005

Patent
Attorney Docket No. BASF.10017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Jean-Erick ANCEL et al.

Mail Stop PCT

International Application No.: PCT/EP2003/08212

Group Art Unit: 1626.

U.S. Application No.: 10/519,823

Filing Date or 371 (c) Date: July 13, 2005

Examiner: Unassigned

Title: Process for the Preparation of Phenyl Pyrazole
Compounds

Confirmation No.: 5194

LETTER

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants note an error in the Notice of Acceptance for the above-captioned application. The Notice of Acceptance incorrectly indicates that a Small Entity Statement was filed on December 30, 2004, and that there is a defect in fees due.

A National Stage application under 35 U.S.C. 371 was submitted on December 30, 2004, and all appropriate fees for large entity were marked on the Transmittal Letter (see attached copy of PTO-1390). The appropriate fees were charged to Deposit Account No. 50-3218 on January 7, 2005 (see attached). A credit of \$500.00 was then issued in October 2005 and at the same time a \$400.00 debit was charged. See attached October 2005 Statement for Deposit Account No. 50-3218 (this change was presumably due to fee changes for national stage filings implemented December, 2004). Therefore, it is believed that all appropriate fees for the application have been accurately charged.

Since a Small Entity Statement was not submitted and the fees appear to have been properly paid, applicant kindly requests that a Corrected Notice of Acceptance be issued to remove the indication of Small Entity Status and to remove the indication that monetary fee defects have been observed.

International Application No.: PCT/EP2003/08212
U.S. Application No.: 10/519,823

Attorney Docket No. BASF.10017
Page 2 of 2

Although it is believed that no fee is required by this paper, the Director is hereby authorized to charge any appropriate fees that may be required, and to credit any overpayment, to Deposit Account No. 50-3218. This paper is submitted in duplicate.

Respectfully submitted,

HUTCHISON + MASON PLLC

Date: December 13, 2005

By: Mary B. Grant
Mary B. Grant
Registration No. 32,176

P.O. Box 31686
Raleigh, NC 27612
+1.919.829.9600

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 12/13/05, Fax. No. 571.273.0459.

Cynthia Wilder
(*Typed Name of Person Signing Certificate*)

Cynthia Wilder
(*Signature of Person Signing Certificate*)

Date of Signing: 12/13/05

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER BASF.10017
INTERNATIONAL APPLICATION NO. PCT/EP2003/008212	INTERNATIONAL FILING DATE June 30, 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
TITLE OF INVENTION PROCESS FOR THE PREPARATION OF PHENYL PYRAZOLE COMPOUNDS		
APPLICANT(S) FOR DO/EO/US Jean-Erick ANCEL and Joëlle VIDAL		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: Unexecuted Declaration and copy of published application WO 2004/005245</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

DOCKETED
12-31-04 dm

PTO-1390 (Rev. 12-2004)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER						
		PCT/EP2003/008212		BASF.10017						
21. The following fees are submitted:										
<input checked="" type="checkbox"/> a) Basic national fee.....		\$300.00								
<input checked="" type="checkbox"/> b) Examination fee.....		\$200.00								
<input checked="" type="checkbox"/> c) Search fee.....		\$500.00								
TOTAL OF ABOVE CALCULATIONS =				\$1000.00						
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.										
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE							
- 100 =	/50 =		x \$250.00							
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).										
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE							
Total claims	20 - 20 =	0	x \$60.00							
Independent claims	2 - 3 =		x \$200.00							
MULTIPLE DEPENDENT CLAIM(S) (If applicable)			+ \$360.00							
TOTAL OF ABOVE CALCULATIONS =				\$ 0.00						
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.										
SUBTOTAL = \$ 1000.00										
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +										
TOTAL NATIONAL FEE = \$ 1000.00										
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +										
TOTAL FEES ENCLOSED = \$ 1000.00										
<table border="1" style="width: 100%;"> <tr> <td style="width: 70%;">Amount to be refunded:</td> <td style="width: 30%; text-align: right;">\$</td> </tr> <tr> <td colspan="2" style="text-align: right;">Amount to be charged:</td> </tr> <tr> <td colspan="2" style="text-align: right;">\$ 1000.00</td> </tr> </table>					Amount to be refunded:	\$	Amount to be charged:		\$ 1000.00	
Amount to be refunded:	\$									
Amount to be charged:										
\$ 1000.00										
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 50-3218 in the amount of \$ 1000.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3218. A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.										
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.										
SEND ALL CORRESPONDENCE TO: Hutchison & Mason PLLC P.O. Box 31686 Raleigh, North Carolina 27612 (919) 829-9600										
<u>Mary B. Grant</u> SIGNATURE Mary B. Grant NAME 32.176 REGISTRATION NUMBER										
I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 5.10 on the date indicated above and is addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450. Express Mail Label No. <u>EV 6 13632 811 05</u> Date of Deposit: <u>12/30/04</u> <u>Cynthia Wilder</u> (Cynthia Wilder - Name of Person Signing Certificate)										

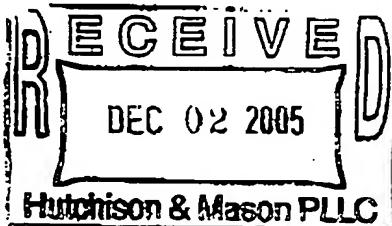


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,823	Jean-Erick Ancel	BASF.10017

Hutchison & Mason
 Suite 100
 3110 Edwards Mill Road
 Raleigh, NC 27612



I.A. FILING DATE	PRIORITY DATE
06/30/2003	07/05/2002

CONFIRMATION NO. 5194

371 ACCEPTANCE LETTER



OC000000017307818

Date Mailed: 11/18/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>07/13/2005</u>	<u>07/13/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE "FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 12/30/2004
- Copy of the International Search Report filed on 12/30/2004
- Copy of IPE Report filed on 12/30/2004
- Preliminary Amendments filed on 12/30/2004
- Information Disclosure Statements filed on 05/09/2005
- Oath or Declaration filed on 07/13/2005
- Small Entity Statement filed on 12/30/2004 *delete*
- Copy of references cited in ISR filed on 12/30/2004
- U.S. Basic National Fees filed on 12/30/2004
- Priority Documents filed on 12/30/2004
- Power of Attorney filed on 07/13/2005

erroneous entry
MBG
DOCKETED
12/2/05 dm

The following defects have been observed:

SUMMARY OF FEES DUE:

Total additional fee(s) for this application is \$-500 for a large entity.

*delete, all fees
appropriate have been charged.*

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

DEBORAH D WILLIAMS
Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

Deposit Account Statement

Page 1 of 2



**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: January 2005
Deposit Account Number: 503218
Name: HUTCHISON & MASON PLLC
Attention: DONNA BACIAK
Address: 3110 EDWARDS MILL ROAD, SUITE 100
City: RALEIGH
State: NC
Zip: 27612
Country: UNITED STATES OF AMERICA

DATE SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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01/07 439	10519823	BASF.10017 1631		\$300.00	\$26,138.00
01/07 440	10519823	BASF.10017 1632		\$500.00	\$25,638.00
01/07 441	10519823	BASF.10017 1633		\$200.00	\$25,438.00

Deposit Account Statement

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**United States
Patent and
Trademark Office**

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Deposit Account Statement

Requested Statement Month: October 2005
Deposit Account Number: 503218
Name: HUTCHISON & MASON PLLC
Attention: DONNA BACIAK
Address: 3110 EDWARDS MILL ROAD, SUITE 100
City: RALEIGH
State: NC
Zip: 27612
Country: UNITED STATES OF AMERICA

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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Deposit Account Statement

Page 2 of 2

10/27 755 10519823	BASF.10017	1632	-\$500.00	\$24,578.51
10/27 756 10519823	BASF.10017	1642	\$400.00	\$24,178.51

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